

REMARKS

Claims 1-18, 20-26, 31-48, 50, 52-60, 72-79, 88, 90, and 91 are pending, of which claims 1 and 88 are independent. Claims 1 and 88 have been amended for clarification. No new matter has been added. Favorable reconsideration of the non-final action mailed October 25, 2007 ("Action") is respectfully requested in view of the foregoing amendments and the following remarks.

Interview Summary

On February 5, 2008, Examiner Beth Van Doren and the applicant's representative Mandy Jubang of Occhiuti Rohlicek & Tsao LLP conducted a telephone interview. The claim language set forth in claim 1 was discussed in view of the 35 U.S.C. § 112, first paragraph rejection. The examiner and the applicant's representative agreed that additional language related to the typical non-specific user of the group would clarify the claim and more clearly distinguish the cited references of record.

35 U.S.C. § 112 Rejections

Claims 1-18, 20-26, 31-48, 50, 52-60, 72-79, 88, 90 and 91 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement.

The applicant respectfully submits that support for the claimed subject matter is provided in the original specification. For example, support for "computing parameters associated with the one or more groups using the user related data, including for each of the one or more groups of users computing parameters characterizing predicted ratings of items by a typical non-specific user of the group," as recited in amended independent claims 1 and 88, can be found in paragraph [0027] on pages 5 and 6 of the original specification, paragraphs [0035] to [0037] on page 7 of the original specification, and paragraphs [0040] to [0051] on pages 8 and 9 of the original specification. In the above-cited paragraphs, the applicant describes various aspects of computing the α_d , θ_{id} , \bar{r}_{id} , $\bar{r}_{i \setminus d}$, η_{id} , p_d , x'_i , v'_i parameters of equation (2) that characterize the value of f_{id} , which is the predicted rating of an item i by a typical non-specific user of the group d . Withdrawal

of the 35 U.S.C. § 112, first paragraph rejections of claims 1-18, 20-26, 31-48, 50, 52-60, 72-79, 88, 90 and 91 is respectfully requested.

35 U.S.C. § 102 Rejections

The examiner maintained the rejection of claims 1-5, 7-11, 13, 14, 16, 20-23, 31, 32, 34, 36-38, 40-48, 50, 52-56, 59-60, 72-79, and 88 under 35 U.S.C. § 102(b) as being anticipated by Chislenko et al. (US 6,041,311).

Claim 1 requires in part "computing parameters associated with the one or more groups using the user related data, including for each of the one or more groups of users computing parameters characterizing predicted ratings of items by a typical non-specific user of the group."

The examiner reads Chislenko's "similarity factors" as corresponding to the "parameters characterizing predicted ratings of items by a non-specific user representative of the users in the group," as recited in previously-presented claim 1. The examiner asserts in paragraph 9, pages 22 and 23 of the Action that the similarity factors computed by Chislenko's system "represents and describes a likely prediction of the specific user," and "can be used for any member in the group, and this is related to a nonspecific user." The examiner appears to take the position that the clustering and similarity factors between a specific user and other users that are calculated for a specific user in order to identify that specific user's set of neighboring users can then be used to predict a rating for an item for any user of the specific user's set of neighboring users. The applicant respectfully submits that this position directly contradicts the teachings of Chislenko. For example, in col. 2, lines 20-30, Chislenko states:

The information stored in the user profiles is used to calculate a set of similarity factors which indicate the amount of correlation between a user and other users of the system. A plurality of users that are closely correlated to a particular user are selected as that user's neighboring users and a weight is assigned to each of them. The ratings given to items by the neighboring users as well as the weights assigned to those neighboring

users are then used to predict ratings and to make recommendations of items that *the* user has not yet rated. (emphasis added).

The applicant submits that, at most, the clustering and similarity factors computed for a specific user by Chislenko's system represents and describes a likely predicted rating for an item by that specific user, not any user of the neighboring user set, much less a typical non-specific user of the neighboring user set. No component of Chislenko computes "parameters characterizing predicted ratings of items by a typical non-specific user of the group," as required in amended claim 1.

For at least these reasons, claim 1 and its dependents are allowable over Chislenko.

The foregoing remarks also apply to independent claim 88, which has corresponding limitations.

35 U.S.C. § 103 Rejections

Claims 6, 12, 15, 17, 18, 24-26, 33, 35, 39, 57, and 58 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chislenko.

The dependent claims are allowable for at least the reasons that apply to the independent claims from which they depend.

PTO 1449

The applicant respectfully requests consideration of the AU reference cited in the August 20, 2007 Information Disclosure Statement and return of the initialed PTO Form 1449 to the undersigned attorney.

Conclusion

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any

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claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

The Petition for Extension of Time fee in the amount of \$60.00 is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 50-4189, referencing Attorney Docket No. 30003-002001.

Respectfully submitted,

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